

ESSB 6604 - H COMM AMD
By Committee on Education

ADOPTED AND ENGROSSED 3/2/2010

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 28A.655.061 and 2009 c 524 s 5 are each amended to read as follows:

(1) The high school assessment system shall include but need not be limited to the Washington assessment of student learning, opportunities for a student to retake the content areas of the assessment in which the student was not successful, and if approved by the legislature pursuant to subsection (10) of this section, one or more objective alternative assessments for a student to demonstrate achievement of state academic standards. The objective alternative assessments for each content area shall be comparable in rigor to the skills and knowledge that the student must demonstrate on the Washington assessment of student learning for each content area.

(2) Subject to the conditions in this section, a certificate of academic achievement shall be obtained by most students at about the age of sixteen, and is evidence that the students have successfully met the state standard in the content areas included in the certificate. With the exception of students satisfying the provisions of RCW 28A.155.045 or 28A.655.0611, acquisition of the certificate is required for graduation from a public high school but is not the only requirement for graduation.

(3) Beginning with the graduating class of 2008, with the exception of students satisfying the provisions of RCW 28A.155.045, a student who meets the state standards on the reading, writing, and mathematics content areas of the high school Washington assessment of student learning shall earn a certificate of academic achievement. If a student does not successfully meet the state standards in one or more content areas required for the certificate of academic achievement, then the student may retake the assessment in the content area up to

1 four times at no cost to the student. If the student successfully
2 meets the state standards on a retake of the assessment then the
3 student shall earn a certificate of academic achievement. Once
4 objective alternative assessments are authorized pursuant to subsection
5 (10) of this section, a student may use the objective alternative
6 assessments to demonstrate that the student successfully meets the
7 state standards for that content area if the student has taken the
8 Washington assessment of student learning at least once. If the
9 student successfully meets the state standards on the objective
10 alternative assessments then the student shall earn a certificate of
11 academic achievement.

12 (4) Beginning no later than with the graduating class of 2013, a
13 student must meet the state standards in science in addition to the
14 other content areas required under subsection (3) of this section on
15 the Washington assessment of student learning or the objective
16 alternative assessments in order to earn a certificate of academic
17 achievement. The state board of education may adopt a rule that
18 implements the requirements of this subsection (4) beginning with a
19 graduating class before the graduating class of 2013, if the state
20 board of education adopts the rule by September 1st of the freshman
21 school year of the graduating class to which the requirements of this
22 subsection (4) apply. The state board of education's authority under
23 this subsection (4) does not alter the requirement that any change in
24 performance standards for the tenth grade assessment must comply with
25 RCW 28A.305.130.

26 (5) The state board of education may not require the acquisition of
27 the certificate of academic achievement for students in home-based
28 instruction under chapter 28A.200 RCW, for students enrolled in private
29 schools under chapter 28A.195 RCW, or for students satisfying the
30 provisions of RCW 28A.155.045.

31 (6) A student may retain and use the highest result from each
32 successfully completed content area of the high school assessment.

33 (7) School districts must make available to students the following
34 options:

35 (a) To retake the Washington assessment of student learning up to
36 four times in the content areas in which the student did not meet the
37 state standards if the student is enrolled in a public school; or

1 (b) To retake the Washington assessment of student learning up to
2 four times in the content areas in which the student did not meet the
3 state standards if the student is enrolled in a high school completion
4 program at a community or technical college. The superintendent of
5 public instruction and the state board for community and technical
6 colleges shall jointly identify means by which students in these
7 programs can be assessed.

8 (8) Students who achieve the standard in a content area of the high
9 school assessment but who wish to improve their results shall pay for
10 retaking the assessment, using a uniform cost determined by the
11 superintendent of public instruction.

12 (9) Opportunities to retake the assessment at least twice a year
13 shall be available to each school district.

14 (10)(a) The office of the superintendent of public instruction
15 shall develop options for implementing objective alternative
16 assessments, which may include an appeals process for students' scores,
17 for students to demonstrate achievement of the state academic
18 standards. The objective alternative assessments shall be comparable
19 in rigor to the skills and knowledge that the student must demonstrate
20 on the Washington assessment of student learning and be objective in
21 its determination of student achievement of the state standards.
22 Before any objective alternative assessments in addition to those
23 authorized in RCW 28A.655.065 or (b) of this subsection are used by a
24 student to demonstrate that the student has met the state standards in
25 a content area required to obtain a certificate, the legislature shall
26 formally approve the use of any objective alternative assessments
27 through the omnibus appropriations act or by statute or concurrent
28 resolution.

29 (b)(i) A student's score on the mathematics, reading or English, or
30 writing portion of the SAT or the ACT may be used as an objective
31 alternative assessment under this section for demonstrating that a
32 student has met or exceeded the state standards for the certificate of
33 academic achievement. The state board of education shall identify the
34 scores students must achieve on the relevant portion of the SAT or ACT
35 to meet or exceed the state standard in the relevant content area on
36 the Washington assessment of student learning. The state board of
37 education shall identify the first scores by December 1, 2007. After

1 the first scores are established, the state board may increase but not
2 decrease the scores required for students to meet or exceed the state
3 standards.

4 (ii) Until August 31, 2008, a student's score on the mathematics
5 portion of the PSAT may be used as an objective alternative assessment
6 under this section for demonstrating that a student has met or exceeded
7 the state standard for the certificate of academic achievement. The
8 state board of education shall identify the score students must achieve
9 on the mathematics portion of the PSAT to meet or exceed the state
10 standard in that content area on the Washington assessment of student
11 learning.

12 (iii) A student who scores at least a three on the grading scale of
13 one to five for selected AP examinations may use the score as an
14 objective alternative assessment under this section for demonstrating
15 that a student has met or exceeded state standards for the certificate
16 of academic achievement. A score of three on the AP examinations in
17 calculus or statistics may be used as an alternative assessment for the
18 mathematics portion of the Washington assessment of student learning.
19 A score of three on the AP examinations in English language and
20 composition may be used as an alternative assessment for the writing
21 portion of the Washington assessment of student learning. A score of
22 three on the AP examinations in English literature and composition,
23 macroeconomics, microeconomics, psychology, United States history,
24 world history, United States government and politics, or comparative
25 government and politics may be used as an alternative assessment for
26 the reading portion of the Washington assessment of student learning.

27 (11) By December 15, 2004, the house of representatives and senate
28 education committees shall obtain information and conclusions from
29 recognized, independent, national assessment experts regarding the
30 validity and reliability of the high school Washington assessment of
31 student learning for making individual student high school graduation
32 determinations.

33 (12) To help assure continued progress in academic achievement as
34 a foundation for high school graduation and to assure that students are
35 on track for high school graduation, each school district shall prepare
36 plans for and notify students and their parents or legal guardians as
37 provided in this subsection ((+12+)).

1 ~~((a))~~ Student learning plans are required for eighth ~~((through~~
2 ~~twelfth))~~ grade students who were not successful on any or all of the
3 content areas of the ~~((Washington))~~ state assessment ~~((for student~~
4 ~~learning))~~ during the previous school year or who may not be on track
5 to graduate due to credit deficiencies or absences. The parent or
6 legal guardian shall be notified about the information in the student
7 learning plan, preferably through a parent conference and at least
8 annually. To the extent feasible, schools serving English language
9 learner students and their parents shall translate the plan into the
10 primary language of the family. The plan shall include the following
11 information as applicable:

12 ~~((i))~~ (a) The student's results on the ~~((Washington))~~ state
13 assessment ~~((of student learning))~~;

14 ~~((ii))~~ (b) If the student is in the transitional bilingual
15 program, the score on his or her Washington language proficiency test
16 II;

17 ~~((iii))~~ (c) Any credit deficiencies;

18 ~~((iv))~~ (d) The student's attendance rates over the previous two
19 years;

20 ~~((v))~~ (e) The student's progress toward meeting state and local
21 graduation requirements;

22 ~~((vi))~~ (f) The courses, competencies, and other steps needed to
23 be taken by the student to meet state academic standards and stay on
24 track for graduation;

25 ~~((vii))~~ (g) Remediation strategies and alternative education
26 options available to students, including informing students of the
27 option to continue to receive instructional services after grade twelve
28 or until the age of twenty-one;

29 ~~((viii))~~ (h) The alternative assessment options available to
30 students under this section and RCW 28A.655.065;

31 ~~((ix))~~ (i) School district programs, high school courses, and
32 career and technical education options available for students to meet
33 graduation requirements; and

34 ~~((x))~~ (j) Available programs offered through skill centers or
35 community and technical colleges, including the college high school
36 diploma options under RCW 28B.50.535.

37 ~~((b)) All fifth-grade students who were not successful in one or~~

1 ~~more of the content areas of the fourth grade Washington assessment of~~
2 ~~student learning shall have a student learning plan.~~

3 ~~(i) The parent or guardian of the student shall be notified,~~
4 ~~preferably through a parent conference, of the student's results on the~~
5 ~~Washington assessment of student learning, actions the school intends~~
6 ~~to take to improve the student's skills in any content area in which~~
7 ~~the student was unsuccessful, and provide strategies to help them~~
8 ~~improve their student's skills.~~

9 ~~(ii) Progress made on the student plan shall be reported to the~~
10 ~~student's parents or guardian at least annually and adjustments to the~~
11 ~~plan made as necessary.))~~

12 **Sec. 2.** RCW 28A.225.015 and 1999 c 319 s 6 are each amended to
13 read as follows:

14 (1) If a parent enrolls a child who is six or seven years of age in
15 a public school, the child is required to attend and that parent has
16 the responsibility to ensure the child attends for the full time that
17 school is in session. An exception shall be made to this requirement
18 for children whose parents formally remove them from enrollment if the
19 child is less than eight years old and a petition has not been filed
20 against the parent under subsection (3) of this section. The
21 requirement to attend school under this subsection does not apply to a
22 child enrolled in a public school part-time for the purpose of
23 receiving ancillary services. A child required to attend school under
24 this subsection may be temporarily excused upon the request of his or
25 her parent for purposes agreed upon by the school district and parent.

26 (2) If a six or seven year-old child is required to attend public
27 school under subsection (1) of this section and that child has
28 unexcused absences, the public school in which the child is enrolled
29 ~~((shall))~~ may:

30 (a) Inform the child's custodial parent, parents, or guardian by a
31 notice in writing, by e-mail, or by telephone whenever the child has
32 failed to attend school after one unexcused absence within any month
33 during the current school year;

34 (b) Request a conference or conferences to be conducted by
35 telephone or in person with the custodial parent, parents, or guardian
36 and child at a time reasonably convenient for all persons included for
37 the purpose of analyzing the causes of the child's absences after two

1 unexcused absences within any month during the current school year. If
2 a regularly scheduled parent-teacher conference day is to take place
3 within thirty days of the second unexcused absence, then the school
4 district may schedule this conference on that day; and

5 (c) Take steps to eliminate or reduce the child's absences. These
6 steps (~~((shall))~~) may include, where appropriate, adjusting the child's
7 school program or school or course assignment, providing more
8 individualized or remedial instruction, offering assistance in
9 enrolling the child in available alternative schools or programs, or
10 assisting the parent or child to obtain supplementary services that may
11 help eliminate or ameliorate the cause or causes for the absence from
12 school.

13 (3) If a child required to attend public school under subsection
14 (1) of this section has seven unexcused absences in a month or ten
15 unexcused absences in a school year, the school district (~~((shall))~~) may
16 file a petition for civil action as provided in RCW 28A.225.035 against
17 the parent of the child.

18 (4) This section does not require a six or seven year old child to
19 enroll in a public or private school or to receive home-based
20 instruction. This section only applies to six or seven year old
21 children whose parents enroll them full time in public school and do
22 not formally remove them from enrollment as provided in subsection (1)
23 of this section.

24 **Sec. 3.** RCW 28A.225.020 and 2009 c 266 s 1 are each amended to
25 read as follows:

26 (1) If a child required to attend school under RCW 28A.225.010
27 fails to attend school without valid justification, the public school
28 in which the child is enrolled shall take the following actions if the
29 child is enrolled in the sixth grade or above, and may take the
30 following actions if the child is enrolled in the fifth grade or below:

31 (a) Inform the child's custodial parent, parents, or guardian by a
32 notice in writing, by e-mail, or by telephone whenever the child has
33 failed to attend school after one unexcused absence within any month
34 during the current school year. School officials shall inform the
35 parent of the potential consequences of additional unexcused absences.
36 If the custodial parent, parents, or guardian is not fluent in English,

1 the preferred practice is to provide this information in a language in
2 which the custodial parent, parents, or guardian is fluent; and

3 (b) Schedule a conference or conferences to be conducted by
4 telephone or in person with the custodial parent, parents, or guardian
5 and child at a time reasonably convenient for all persons included for
6 the purpose of analyzing the causes of the child's absences after two
7 unexcused absences within any month during the current school year. If
8 a regularly scheduled parent-teacher conference day is to take place
9 within thirty days of the second unexcused absence, then the school
10 district may schedule this conference on that day(~~(+and)~~).

11 (~~(+e)~~) (2) The school may also take steps to eliminate or reduce
12 the child's absences. These steps (~~(shall)~~) may include, where
13 appropriate, adjusting the child's school program or school or course
14 assignment, providing more individualized or remedial instruction,
15 providing appropriate vocational courses or work experience, referring
16 the child to a community truancy board, if available, requiring the
17 child to attend an alternative school or program, or assisting the
18 parent or child to obtain supplementary services that might eliminate
19 or ameliorate the cause or causes for the absence from school. If the
20 child's parent does not attend the scheduled conference, the conference
21 may be conducted with the student and school official. However, the
22 parent shall be notified of the steps to be taken to eliminate or
23 reduce the child's absence.

24 (~~(+2)~~) (3) For purposes of this chapter, an "unexcused absence"
25 means that a child:

26 (a) Has failed to attend the majority of hours or periods in an
27 average school day or has failed to comply with a more restrictive
28 school district policy; and

29 (b) Has failed to meet the school district's policy for excused
30 absences.

31 (~~(+3)~~) (4) If a child transfers from one school district to
32 another during the school year, the receiving school or school district
33 shall include the unexcused absences accumulated at the previous school
34 or from the previous school district for purposes of this section, RCW
35 28A.225.030, and 28A.225.015.

36 **Sec. 4.** RCW 28A.225.025 and 2009 c 266 s 2 are each amended to
37 read as follows:

(1) For purposes of this chapter, "community truancy board" means a board composed of members of the local community in which the child attends school. Juvenile courts may establish and operate community truancy boards. If the juvenile court and the school district agree, a school district may establish and operate a community truancy board under the jurisdiction of the juvenile court. Juvenile courts may create a community truancy board or may use other entities that exist or are created, such as diversion units. However, a diversion unit or other existing entity must agree before it is used as a truancy board. Duties of a community truancy board shall include, but not be limited to, recommending methods for improving school attendance such as assisting the parent or the child to obtain supplementary services that might eliminate or ameliorate the causes for the absences or suggesting to the school district that the child enroll in another school, an alternative education program, an education center, a skill center, a dropout prevention program, or another public or private educational program.

(2) The legislature finds that utilization of community truancy boards, or other diversion units that fulfill a similar function, is the preferred means of intervention when preliminary methods of notice and parent conferences and taking appropriate steps to eliminate or reduce unexcused absences have not been effective in securing the child's attendance at school. The legislature intends to encourage and support the development and expansion of community truancy boards and other diversion programs which are effective in promoting school attendance and preventing the need for more intrusive intervention by the court. ~~((Operation of a school truancy board does not excuse a district from the obligation of filing a petition within the requirements of RCW 28A.225.015(3).))~~

Sec. 5. RCW 28A.225.030 and 1999 c 319 s 2 are each amended to read as follows:

(1) If a child is required to attend school under RCW 28A.225.010 and ~~((if))~~ the ~~((actions taken by a))~~ school district takes actions under RCW 28A.225.020 that are not successful in substantially reducing an enrolled student's absences from public school, not later than the seventh unexcused absence by a child within any month during the current school year, or not later than the tenth unexcused absence

1 during the current school year the school district (~~((shall))~~) may file
2 a petition and supporting affidavit for a civil action with the
3 juvenile court alleging a violation of RCW 28A.225.010: (a) By the
4 parent; (b) by the child; or (c) by the parent and the child. Except
5 as provided in this subsection, no additional documents need be filed
6 with the petition.

7 (2) The district (~~((shall-not-later-than))~~) may, after the fifth
8 unexcused absence in a month:

9 (a) Enter into an agreement with a student and parent that
10 establishes school attendance requirements;

11 (b) Refer a student to a community truancy board, if available, as
12 defined in RCW 28A.225.025. The community truancy board shall enter
13 into an agreement with the student and parent that establishes school
14 attendance requirements and take other appropriate actions to reduce
15 the child's absences; or

16 (c) File a petition under subsection (1) of this section.

17 (3) The petition may be filed by a school district employee who is
18 not an attorney.

19 (4) If the school district (~~((fails-to))~~) does not file a petition
20 under this section, the parent of a child with five or more unexcused
21 absences in any month during the current school year or upon the tenth
22 unexcused absence during the current school year may file a petition
23 with the juvenile court alleging a violation of RCW 28A.225.010.

24 (5) Petitions filed under this section may be served by certified
25 mail, return receipt requested. If such service is unsuccessful, or
26 the return receipt is not signed by the addressee, personal service is
27 required.

28 **Sec. 6.** RCW 28A.225.151 and 1996 c 134 s 5 are each amended to
29 read as follows:

30 (1) As required under subsection (2) of this section, (~~((each~~
31 ~~school))~~) if a school takes additional actions provided in RCW
32 28A.225.030, it shall document the actions taken (~~((under—RCW~~
33 ~~28A.225.030))~~) and report this information to the school district
34 superintendent who shall compile the data for all the schools in the
35 district and prepare an annual school district report for each school
36 year and submit the report to the superintendent of public instruction.

1 The reports shall be made upon forms furnished by the superintendent of
2 public instruction and shall be transmitted as determined by the
3 superintendent of public instruction.

4 (2) The reports under subsection (1) of this section shall include:

5 (a) The number of enrolled students and the number of unexcused
6 absences;

7 (b) Documentation of the steps taken by the school district under
8 each subsection of RCW 28A.225.020 at the request of the superintendent
9 of public instruction. Each year, by May 1st, the superintendent of
10 public instruction shall select ten school districts to submit the
11 report at the end of the following school year. The ten districts
12 shall represent different areas of the state and be of varied sizes.
13 In addition, the superintendent of public instruction shall require any
14 district that fails to keep appropriate records to submit a full report
15 to the superintendent of public instruction under this subsection. All
16 school districts shall document steps taken under RCW 28A.225.020 in
17 each student's record, and make those records available upon request
18 consistent with the laws governing student records;

19 (c) The number of enrolled students with ten or more unexcused
20 absences in a school year or five or more unexcused absences in a month
21 during a school year;

22 (d) A description of any programs or schools developed to serve
23 students who have had five or more unexcused absences in a month or ten
24 in a year including information about the number of students in the
25 program or school and the number of unexcused absences of students
26 during and after participation in the program. The school district
27 shall also describe any placements in an approved private nonsectarian
28 school or program or certified program under a court order under RCW
29 28A.225.090; and

30 (e) The number of petitions filed by a school district with the
31 juvenile court.

32 (3) A report required under this section shall not disclose the
33 name or other identification of a child or parent.

34 (4) The superintendent of public instruction shall collect these
35 reports from all school districts and prepare an annual report for each
36 school year to be submitted to the legislature no later than December
37 15th of each year.

1 NEW SECTION. **Sec. 7.** Sections 2 through 6 of this act take effect
2 July 1, 2010."

3 Correct the title.

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